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Attorney for JOSE GAMBOA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE GAMBOA (#19),

Defendant.

CASE NO.: 2:17-cr-00306-JCM-VCF

**STIPULATION TO CONTINUE
SENTENCING**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by Defendant Jose Gamboa, by and through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and through Chad McHenry, Department of Justice Trial Attorney, that the sentencing hearing currently scheduled for August 20, 2021, at the hour of 10:30 a.m., be vacated and continued for at least forty-five (45) days to a date and time that is convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Defense Counsel for Mr. Gamboa requires additional time to meet with and finalize preparation with Mr. Gamboa for his sentencing hearing.
2. Mr. Gamboa is currently in custody, and he does not object to the continuance.
3. Counsel for Mr. Gamboa has spoken with Trial Attorney Chad McHenry, and the Government agrees to the continuance.
4. The additional time requested by this Stipulation to Continue Sentencing is reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the "court may, for good cause, change any time limits prescribed in this rule."
5. The additional time requested herein is not sought for the purposes of undue delay.

6. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

DATED: August 4, 2021

Respectfully submitted,

/s/ Thomas A. Ericsson
Thomas A. Ericsson, Esq.
Orono & Ericsson, LLC
1050 Indigo Dr., Suite 120
Las Vegas, Nevada 89145
Attorney for Defendant Lara

/s/ Chad McHenry
Chad McHenry, Esq.
Trial Attorney
Organized Crime and Gang Section
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Attorney for the United States of America

CERTIFICATE OF SERVICE

I certify that I am an employee of Oronoz & Ericsson, LLC, and over the age of 18 years. A copy of this Stipulation to Continue Sentencing was served upon counsel of record via Electronic Case Filing (ECF).

Dated this 4th day of August, 2021.

/s/ Jan Ellison
Ornoz & Ericsson, LLC

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE GAMBOA,

Defendant.

CASE NO.: 2:17-cr-00306-JCM-VCF

ORDER

Having considered the foregoing stipulation and proffer of the parties, the Court finds that the ends of justice served by granting said continuance outweigh the best interests of the public and the defendant in a speedy sentencing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IT IS THEREFORE ORDERED that the Sentencing in this matter currently scheduled for August 20, 2021, at 10:30 a.m., be vacated and continued to the 15th day of October, 2021, at the hour of 11:00 A.M..

DATED August 4, 2021.



THE HONORABLE JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE